

Decision \_\_\_\_\_

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Walter Zelhofer,

Complainant,

vs.

Pacific Gas and Electric Company (U39G),

Defendant.

(ECP)

Case 14-07-026

(Filed November 25, 2014)

**DECISION DISMISSING COMPLAINT****Summary**

The complaint is dismissed for failure to state a cause of action on which relief may be granted.

**1. Discussion**

Walter Zelhofer (Complainant), alleges that the price Pacific Gas and Electric Company (Defendant), charged him for compressed natural gas (CNG) in August 2014 was higher than the price charged for CNG in Utah during the same period. The Commission sets the price that Pacific Gas and Electric Company (PG&E) charges for CNG on a monthly basis. During the period beginning August 1, 2014, PG&E charged Complainant the Commission-set price of \$2.57 per gasoline gallon equivalent.

In order to state a cause of action on which relief may be granted, a complaint has to allege a violation of a statute, a Commission regulation, or other

law over which the Commission has jurisdiction. An allegation that the lawful price charged by PG&E is higher than a price that someone else might have charged somewhere else does not meet this threshold standard and, accordingly, this complaint should be dismissed.

**2. Assignment of Proceeding**

Michael Picker is the assigned Commissioner and Karl J. Bemesderfer is the assigned Administrative Law Judge in this proceeding.

**3. Waiver of Comment Period**

Pursuant to Rule 14.7(b) of the Commission's Rules of Practice and Procedure, 30-day public review and comment period required by Section 311 of the Public Utilities Code is not applicable to expedited complaint proceedings such as this one.

**O R D E R**

**IT IS ORDERED** that:

1. Case 14-08-026 is dismissed for failure to state a course of action on which relief may be granted.
2. Case 14-08-026 is closed.

This order is effective today.

Dated \_\_\_\_\_, at San Francisco, California.